

Serial No: 10/624,629

REMARKS

The Examiner has objected to the Declaration because the serial number of the provisional application was incorrect. However, it is not required that Declarations claim priority to provisional applications, and the serial number is correct in the application as required. Therefore, a new Declaration is not required.

The Abstract has been amended to be less than 150 words.

Claims 1-7 and 16 have been rejected as anticipated by Trochon (EP 1070903, but references are to US 6772858). Trochon discloses a method of calculating lengths of the tube sections based upon a single tuning frequency. In the table in column 3, lines 6-15, several examples are given, but for each single tuning frequency, only a single set of lengths is obtained. Claim 1 has been amended to clarify that the different length combinations are calculated for the same frequency range. Trochon does not compare different length combinations based upon the same frequency and does not perform any analysis based upon a target frequency range. Therefore, claims 1-7 are patentable.

Additionally, for the reasons stated above, Trochon does not inherently disclose the features of claims 2-7. For example, Trochon does not determine "average transmission loss" or "standard deviation," as recited in claim 4. Since Trochon focuses on only one frequency, there is no "average" or "standard deviation."

Claim 16 has been amended to recite that the first passageway is formed in a nonplanar configuration. Trochon only discloses forming the second passageway in a nonplanar configuration. Therefore, claim 16 is not anticipated by Trochon.

Serial No: 10/624,629

It is believed that no fees are due, but if any additional fees or extensions of time are ever required, please charge them to Deposit Account No. 50-1482.

Respectfully submitted,

CARLSON, GASKEY & OLDS



John E. Carlson
Registration No. 37,794
460 W. Maple, Suite 350
Birmingham, MI 48009
(248) 988-8681

Dated: August 17, 2005